

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOHN HARRIS,)
)
Plaintiff,)
)
vs.) Case No. 4:05CV2029 CDP
)
YUM RESTAURANT SERVICES)
GROUP, INC. d/b/a TACO BELL,)
)
Defendant.)

MEMORANDUM AND ORDER

On October 26, 2006, I granted plaintiff's motion to amend the complaint and join an additional defendant, Taco Bell of America. In that Order, I also noted that defendant Yum Restaurant Services Group, Inc. had not filed an answer in this case and instructed it to do so. Finally, I reminded the parties that this case remains set for trial on my January 29, 2007 trial docket. Despite my Order, defendant has still not filed an answer to the complaint or the amended complaint, and its time for doing so has long since expired. Moreover, the Court file contains no proof of service on Taco Bell of America. I am concerned that the parties are ignoring my Orders and the fast-approaching trial date.

Accordingly,

IT IS HEREBY ORDERED that defendant Yum Restaurant Services

Group, Inc. shall file an answer to plaintiff's amended complaint by no later than **December 18, 2006** or I will instruct the plaintiff to file motions for entry of default and for default judgment.

IT IS FURTHER ORDERED that plaintiff shall advise the Court in writing of the status of service of process on defendant Taco Bell of America by no later than **December 18, 2006**.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 8th day of December, 2006.